

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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|-------------------------------|---|-----------------|
| EDMON GASAWAY, | : | 4:CV-09-1687 |
| Petitioner | : | (Judge McClure) |
| v. | : | |
| ERIC HOLDER, U. S. Attorney | : | |
| General, and DAVID J. EBBERT, | : | |
| Warden, | : | |
| Respondents | : | |

ORDER

October 15, 2009

BACKGROUND:

On August 31, 2009, petitioner Edmon Gasaway, a federal inmate, filed several documents which the clerk docketed as a petition for writ of habeas corpus. The clerk further classified the petition as one filed under 28 U.S.C. § 2241.

The court has conducted a preliminary examination of these documents in accordance with Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts, made applicable to Section 2241 petitions under Rule 1(b). The court finds that it plainly appears from the petition and all attached exhibits that the petitioner is not entitled to relief in the district court and, therefore, the

petition will be dismissed and the clerk will be directed to notify the petitioner.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The petition for writ of habeas corpus (Rec. Doc. No. 1, filed August 31, 2009) is dismissed, and the clerk is directed to so notify the petitioner.
2. The clerk is directed to close the case file.

s/ James F. McClure, Jr.
James F. McClure, Jr.
United States District Judge